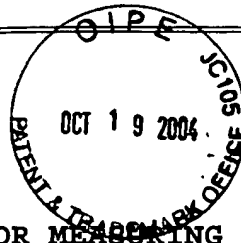


Transmittal Letter to the United States
Designated/Elected Office (DO/EO/US)

Page 1
FORM PTO-1390

Docket No. : **HKH-07PCT**
U.S. Application No. :
International Application No. : **PCT/DE03/00372**
International Filing Date. : **February 8, 2003**
Priority Date Claimed : **March 27, 2002**
Title of Invention : **DEVICE AND METHOD FOR MEASURING CONSTITUENTS IN BLOOD**
Applicant(s) for (DO/EO/US) : **Klaus Forstner and Bernd Schöller**



Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ___ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ___ This express request to begin national examination procedures 35 U.S.C. 371 (f) at any time rather than delay examination until the expiration of the applicable time limit set forth in 35 U.S.C 371(b) and PCT Articles 22 and 39(1).
4. ___ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ___ A copy of the International Application as filed [35 U.S.C. 371(c)(2)].
 - a) ___ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b) ___ has been transmitted by the international Bureau.
 - c) ___ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ___ A translation of the International Application into English [35 U.S.C.371(c)(2)].
7. ___ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C.371(c)(3)].
 - a) ___ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b) ___ have been transmitted by the International Bureau.
 - c) ___ have not been made; however, the time limit for making such amendments has **NOT** expired.
 - d) ___ have not been made and will not be made.
8. ___ A translation of the amendments to the claims under PCT Article 19 [35 U.S.C.371(c)(3)].
9. ___ An oath or declaration of the inventor(s) [35 U.S.C.371(c)(4)].
10. ___ A translation of the International Preliminary Examination Report.

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 198.
12. ___ An Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ___ A **FIRST** preliminary amendment.
___ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ___ A substitute specification.
15. ___ A change of power of attorney and/or address letter.
16. ☒ (other items or information) PTO-1449 w/19 references, International Search Report and German Office Action

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 14, 2004.

By: *Friedrich Kueffner*
Friedrich Kueffner

Date: October 14, 2004

Best Available Copy

17. The following fees are submitted:

BASIC NATIONAL FEE [37 CFR 1.492(a)(1)-(5)]:

- Search Report has been prepared by the EPO or JPO..... \$ 920.00
- International preliminary examination fee paid to USPTO [37 CFR 1.482]:..... \$ 730.00
- No International preliminary examination fee paid to USPTO [37 CFR 1.482]
but International search fee paid to USPTO [37CFR 1.445(a)(2)]:..... \$ 770.00
- Neither International preliminary examination fee [37 CFR 1.482] nor
International search fee [37 CFR 1.445(a)(2)] paid to USPTO:..... \$ 1080.00
- International preliminary examination fee paid to USPTO [37 CFR 1.482]
and all claims satisfied provisions of PCT Article 33 (2) to (4):..... \$ 110.00

ENTER APPROPRIATE BASIC FEE AMOUNT: \$

Surcharge of \$ 130.00 for furnishing the oath or declaration later than 20 30 months
from the earliest claimed priority date [37 CFR 1.492(e)]

Claims	filed	Extra	Rate
Total Claims	21	-20= 1	x \$ 18.=
Indep. Claims	1	- 3=	x \$ 84.=
Multiple Dependent Claims (if applicable) + \$ 280.=			

TOTAL OF ABOVE CALCULATIONS: \$

Small Entity Status is being claimed

(divided by 2)

SUBTOTAL: \$

Processing fee of \$ 130.00 for furnishing the English Translation later than 20 30 months
from the earliest claimed priority date [37 CFR 1.492(f)]

TOTAL NATIONAL FEE: \$

Fee for recording the enclosed assignment [37 CFR 1.21(h)] The assignment must be
accompanied by an appropriate cover sheet [37 CFR 3.28,3.31]. \$ 40.00 per property

TOTAL FEES ENCLOSED: \$

AMOUNT TO BE REFUNDED: Refunded \$

AMOUNT TO BE CHARGED: Charged \$

- a) A check in the amount of \$ to cover the above fees is enclosed.
- b) Please charge my Deposit Account No. 11-1835 in the amount of \$ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 11-1835. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 36 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must
be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO: Friedrich Kueffner
317 Madison Avenue
Suite 910
New York, NY 10017

Friedrich Kueffner
Name

signature

29,482
Reg. No.

October 15, 2004
Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

HKH-07PCT

Applicant(s) : Klaus Forstner, et al
Serial No. : NOT YET KNOWN (PCT/DE03/00372)
Int. Filed : February 8, 2003
For : DEVICE AND METHOD FOR MEASURING CONSTITUENTS
IN BLOOD

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT


S I R:

The attention of the Examiner and of the Patent and Trademark Office is hereby directed to the references cited in the International Search Report and German Office Action, copies of which are attached. Copies of the references are forwarded herewith and are listed on the attached Form PTO-1449.

With the submission of this admitted prior art, applicant thus complies with the duty of disclosure as set forth at 37 CFR 1.56.


Respectfully submitted,

FK:ml
October 15, 2004
Encls: PTO-1449
w/nineteen
(19) references


Friedrich Kueffner Reg. No. 29,482
317 Madison Avenue, Suite 910
New York, NY 10017
(212) 986-3114

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 15, 2004.

By: 
Friedrich Kueffner

Date: October 15, 2004

Form PTO-1449				Docket No.: HKH-07PCT		Serial No.: not known (PCT/DE03/00372)	
LIST OF PRIOR ART CITED BY APPLICANT				Applicant: Klaus Forstner, et al			
				Int. Filed: February 8, 2003		Group:	
U.S. PATENT DOCUMENTS							
Exam. Init.		Document Number	Date	NAME	Class	Subclass	Filing Date if appropriate
	AA	6 2 2 6 5 4 0	5/01	BERNREUTER			
	AB	5 3 8 6 8 1 9	2/95	KANEKO ET AL			
	AC	5 6 6 4 5 7 4	9/97	CHANCE			
	AD	6 1 5 1 5 1 8	11/00	HAYASHI			
	AE	6 1 4 9 5 8 8	11/00	NODA ET AL			
	AF	6 0 6 4 8 9 8	5/00	ALDRICH			
	AG	6 1 5 1 5 1 7	11/00	HONIGS ET AL			
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	COUNTRY	Class	Subclass	TRANSLATION Yes No
	AI	196 09 410 A1	9/97	GERMANY			X
	AL	100 15 622 A1	10/01	GERMANY			X
	AM	196 51 690 C2	12/01	GERMANY			X
	AN	9 9 3 9 6 3 1	8/99	W I P O			
	AO	0 0 6 2 6 6 1	10/00	W I P O			
	AP	0 0 1 6 6 8 8	3/00	W I P O			
	AQ	196 12 425 C2	8/00	GERMANY			X
	AR	8 9 0 1 7 5 8	3/89	W I P O			
	AS	0 0 6 2 6 7 0	10/00	W I P O			
	AT	0 0 4 2 9 0 5	7/00	W I P O			
	AU	0 2 2 8 2 7 4	4/02	W I P O			
	AV	0 0 7 4 4 2 8	3/83	EUROPEAN			X
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AW						
	AX						
	AY						
EXAMINER					DATE CONSIDERED		

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